

Fire Safety Code Board

Of Appeal and Review

Hearing Minutes November 22, 2011

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 22, 2011 at 1:00 P.M. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Richard, Blackburn, Burlingame, Pearson, Jackson and Dias. Commissioners Sylvester, Walker and Jasparro were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.

APPEAL #090339: Mr. Frank R. Castelli, for the property located at 70 John Street in Pawtucket. ADSFM Parent appeared for the Pawtucket Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty days in which to install portable fire extinguishers and a remote shut off switch in this facility. For the remainder of the deficiencies, the Applicant is directed to present a plan of action to the Pawtucket Fire Marshal's Office for the correction of all outstanding deficiencies and is granted an additional 120 days in which to implement that plan of action. The Pawtucket Fire Marshal's Office is authorized to extend the above timelines for good faith efforts being shown by the Applicant. The motion passed over the opposition vote of

Commissioner Burlingame.

APPEAL #110222: Mr. James Stover for the property located at 6 Payne Road, New Shoreham. Chief Scott Caron and Deputy State Fire Marshal Paul Manning appeared for the State Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance until September 1, 2012 in which to correct any outstanding deficiencies within this facility as outlined on the September 9, 2011 inspection report. The motion passed over the opposition votes of Commissioners Burlingame and Dias.

APPEAL #100096: Mr. Richard J. Miga and Ms. Debra Maguire, for the property located at 83 Corona Street in Warwick. DSFM Paul Manning appeared for the State Fire Marshal's Office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Pearson made a motion, seconded by Commissioner Burlingame, to grant the Applicant a time variance of thirty (30) days in which to present a plan of action to the State Fire Marshal's Office for the correction of any outstanding deficiencies as outlined on the November 21, 2011 plan of action. The Applicant is granted an additional 150 days in which to implement that plan of action. The State Fire Marshal's Office is authorized to extend any of the above timelines for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #090402: Mr. Peter Marinucci, for the property located at 10 Pocasset Avenue in Providence. Chief of Inspections Scott Caron appeared for the State Fire Marshal's Office. Chief Caron testified that the Providence Fire Marshal's Office had recently transferred that case to the State, and that an inspector had not yet been assigned. This case is held over to allow for reinspection and will be heard on February 7, 2012.

APPEAL #100088: Court Square Associates, for the property located at 71-77 Medway Street, Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Burlingame, to grant the Applicant a time variance of thirty (30) days to submit a plan of action to the Providence Fire Marshal's Office for the installation of an NFPA 13R or NFPA 13 sprinkler system in this facility, and an additional 150 days in which to install that system. Alternatively, the Applicant may abandon sleeping on the fourth floor, at the direction and to the satisfaction of the Providence Fire Marshal's Office. The motion was unanimous.

APPEAL #100097: Mr. William Jonah, for the property located at 114 Calverly Street, Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's Office. The Providence Fire Marshal requested additional time for reinspection and creation of a new report. This case is continued to January 10, 2012.

APPEAL #0110224: Mr. Robert Pritchard, for the property located at 35 Ledge Street, Providence. Chief of Inspections Scott Caron and Deputy State Fire Marshal Michael Macaruso appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Richard, to make any necessary corrections in this facility at the direction and to the satisfaction of the State Fire Marshal's Office. The motion was unanimous.

Respectfully submitted

Carol Marsella